

publishers of publications and to delete provisions making such detention inapplicable to distributors of publications and publishers or distributors of copyrighted publications.

§ 260. Receipt showing mailing of ordinary mail of any class; issuance; fee; liability.

CODIFICATION

Section, act Feb. 14, 1929, ch. 199, 45 Stat. 1175, is now covered by section 260a of this title.

§ 260a. Receipt showing mailing of ordinary mail and of registered, insured, and collect-on-delivery mail; issuance to sender; fee.

The Postmaster General is authorized to charge a fee, under such regulations as he may prescribe, for the issuance to the sender of ordinary mail, and of registered, insured, and collect-on-delivery mail, a receipt or certificate showing such mailing. (Jan. 13, 1931, ch. 27, 46 Stat. 1035.)

FEES FOR COLLECT-ON-DELIVERY SERVICE

Postmaster General may prescribe fees for collect-on-delivery service, see section 246f of this title.

FEES FOR INSURANCE OF MAIL MATTER, OR OTHER INDEMNIFICATION; RETURN RECEIPTS

Postmaster General may prescribe fees for insurance of mail matter or other indemnification of senders, and for securing and returning receipt to sender, see section 246f of this title.

FEES FOR REGISTRY OF MAIL MATTER

Postmaster General may prescribe fees for registry of mail matter, see section 246f of this title.

FEES FOR RETURN RECEIPTS FOR DELIVERY OF REGISTERED MAIL

Postmaster General may prescribe fees for securing and returning receipts in connection with delivery of registered mail, see section 246f of this title.

§ 261. Undeliverable parcels containing perishable matter; sale by Government; disposition of proceeds.

Under such regulations as the Postmaster General may prescribe, undeliverable parcels containing perishable matter may be sold and the amount realized, less a commission of 10 per centum, but in no case less than 25 cents, shall be remitted to the sender or other rightful owner. (May 9, 1930, ch. 231, § 1, 46 Stat. 264; Apr. 9, 1958, Pub. L. 85-371, § 5, 72 Stat. 83.)

AMENDMENTS

1958—Pub. L. 85-371 amended section substituting "25 cents" for "15 cents".

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment of section by Pub. L. 85-371 as effective on the first day of the third month following the month in which enacted, see note set out under section 272a of this title.

Chapter 6A.—POSTAL POLICY

Sec.

270. Congressional findings.

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§ 270. Congressional findings.

The Congress finds that—

(1) the postal establishment was created to unite more closely the American people, to promote the general welfare, and to advance the national economy;

(2) the postal establishment has been extended and enlarged through the years into a nationwide network of services and facilities for the communication of intelligence, the dissemination of information, the advancement of education and culture, and the distribution of articles of commerce and industry. Furthermore, the Congress has encouraged the use of these broadening services and facilities through reasonable and, in many cases, special postal rates;

(3) the development and expansion of these several elements of postal service, under authorization by the Congress, have been the impelling force in the origin and growth of many and varied business, commercial, and industrial enterprises which contribute materially to the national economy and the public welfare and which depend upon the continuance of these elements of postal service;

(4) historically and as a matter of public policy there have evolved, in the operations of the postal establishment authorized by the Congress, certain recognized and accepted relationships among the several classes of mail. It is clear, from the continued expansion of the postal service and from the continued encouragement by the Congress of the most widespread use thereof, that the postal establishment performs many functions and offers its facilities to many users on a basis which can only be justified as being in the interest of the national welfare;

(5) while the postal establishment, as all other Government agencies, should be operated in an efficient manner, it clearly is not a business enterprise conducted for profit or for raising general funds, and it would be an unfair burden upon any particular user or class of users of the mails to compel them to bear the expenses incurred by reason of special rate considerations granted or facilities provided to other users of the mails, or to underwrite those expenses incurred by the postal establishment for services of a nonpostal nature; and

(6) the public interest and the increasing complexity of the social and economic fabric of the Nation require an immediate, clear, and affirmative declaration of congressional policy with respect to the activities of the postal establishment including those of a public service nature as the basis for the creation and maintenance of a sound and equitable postal-rate structure which will assure efficient service, produce adequate postal revenues, and stand the test of time.

(Pub. L. 85-426, title I, § 102, May 27, 1958, 72 Stat. 134.)

SHORT TITLE

Section 101 of Pub. L. 85-426 provided that this chapter should be popularly known as the "Postal Policy Act of 1958".

§ 270a. Declaration of policy.**(a) Formulation of postal policy.**

The Congress emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

(b) Post office as public service; postal-rate structure.

It is declared to be the policy of the Congress, as set forth in this chapter—

(1) that the post office is a public service;

(2) to provide a more stable basis for the postal-rate structure through the establishment of general principles, standards, and related requirements with respect to the determination and allocation of postal revenues and expenses; and

(3) in accordance with these general principles, standards, and related requirements, to provide a means by which the postal-rate structure may be fixed and adjusted by action of the Congress, from time to time, as the public interest may require, in the light of periodic reviews of the postal-rate structure, periodic studies and surveys of expenses and revenues, and periodic reports, required to be made by the Postmaster General as provided by section 270c of this title.

(c) General principles, standards, and related requirements with respect to determination and allocation of postal revenues and expenses.

The general principles, standards, and related requirements referred to in subsection (b) of this section are as follows:

(1) In the determination and adjustment of the postal-rate structure, due consideration should be given to—

(A) the preservation of the inherent advantages of the postal service in the promotion of social, cultural, intellectual, and commercial intercourse among the people of the United States;

(B) the development and maintenance of a postal service adapted to the present needs, and adaptable to the future needs, of the people of the United States;

(C) the promotion of adequate, economical, and efficient postal service at reasonable and equitable rates and fees;

(D) the effect of postal services and the impact of postal rates and fees on users of the mails;

(E) the requirements of the postal establishment with respect to the manner and form of preparation and presentation of mailings by the users of the various classes of mail service;

(F) the value of mail;

(G) the value of time of delivery of mail; and

(H) the quality and character of the service rendered in terms of priority, secrecy, security, speed of transmission, use of facilities and manpower, and other pertinent service factors.

(2) The acceptance, transportation, and delivery of first-class mail constitutes a preferred service of the postal establishment and, therefore, the postage for first-class mail should be sufficient to cover (A) the entire amount of the

expenses allocated to first-class mail in accordance with this chapter and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

(3) Those services, elements of service, and facilities rendered and provided by the postal establishment in accordance with law, including services having public service aspects, which, in whole or in part, are held and considered by the Congress from time to time to be public services for the purposes of this chapter shall be administered on the following basis:

(A) the sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally; and

(B) nothing contained in any provision of this chapter should be construed as indicating any intention on the part of the Congress (i) that such public services, or any of them, should be limited or restricted or (ii) to derogate in any way from the need and desirability thereof in the public interest.

(4) Postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment less the amount deemed to be attributable to the performance of public services under section 270b (b) of this title.

(Pub. L. 85-426, title I, § 103, May 27, 1958, 72 Stat. 135.)

§ 270b. Identification of and appropriations for public services.

(a) The following shall be considered to be public services for the purposes of this chapter—

(1) the total loss resulting from the transmission of matter in the mails free of postage or at reduced rates of postage as provided by statute, including the following:

(A) paragraph (3) of subsection (a) of section 283 of this title, relating to reduced rates of postage on newspapers or periodicals of certain nonprofit organizations;

(B) section 321 of this title, relating to official mail matter of the Pan American Union sent free through the mails;

(C) section 286 of this title, and subsection (b) of section 289a of this title, relating to free-in-county mailing privileges;

(D) section 331 of this title, relating to free postage and reduced postage rates on reading matter and other articles for the blind;

(E) section 336 of this title, granting free mailing privileges to the diplomatic corps of the countries of the Pan American Postal Union;

(F) section 293c of this title, granting reduced rates to publications for use of the blind;

(G) section 321-1 of this title, granting free mailing privileges to the Pan American Sanitary Bureau;

(H) the act of May 7, 1945 (59 Stat. 707), and other provisions of law granting free mailing privileges to individuals;

(I) the second and third provisos of subsection (a) of section 289a of this title, granting reduced second-class postage rates to publications of certain organizations;

(J) the last proviso of section 290a-1 of this title, granting reduced third-class postage rates to certain organizations;

(K) section 302 of The Federal Voting Assistance Act of 1955, granting free postage, including free airmail postage, to post cards, ballots, voting instructions, and envelopes transmitted in the mails under authority of such Act; and

(L) section 292a (d) and (e) of this title, including the amendment made by section 206 of this Act.

(2) the loss resulting from the operation of such prime and necessary public services as the star route system and third- and fourth-class post offices;

(3) the loss incurred in performing nonpostal services, such as the sale of documentary stamps for the Department of the Treasury;

(4) the loss incurred in performing special services such as cash on delivery, insured mail, special delivery, and money orders; and

(5) the additional cost of transporting United States mail by foreign air carriers at a Universal Postal Union rate in excess of the rate prescribed for United States carriers.

(b) There is authorized to be appropriated to the revenues of the Post Office Department for each fiscal year from any money in the Treasury not otherwise appropriated an amount, which shall be deemed to be attributable to the public services enumerated under subsection (a) of this section, equal to the total estimated expenditures of the Post Office Department for the year for such public services as determined by the Congress in the appropriation Act based upon budget estimates submitted to the Congress. Such appropriations shall be available to enable the Postmaster General to pay in to postal revenues at quarterly or other intervals such sums as may be necessary to reimburse the Post Office Department for such amount attributable to public services. (Pub. L. 85-426, title I, § 104, May 27, 1958, 72 Stat. 136.)

REFERENCES IN TEXT

The act of May 7, 1945, referred to in subsec. (a) (1) (H), is act May 7, 1945, ch. 111, 59 Stat. 707, which was not classified to this Code.

Section 302 of the Federal Voting Assistance Act of 1955, referred to in subsec. (a) (1) (K), is classified to section 2192 of Title 5, Executive Departments and Government Officers and Employees.

Such Act, referred to in subsec. (a) (1) (K), means the Federal Voting Assistance Act of 1955, which is classified to chapter 28 of Title 5.

Section 206 of this Act, referred to in subsec. (a) (1) (L), means section 206 of Pub. L. 85-426.

§ 270c. Reviews, studies, surveys, and reports of Postmaster General.

(a) The Postmaster General is authorized and directed to initiate and conduct, through the facilities of the postal establishment, either on a continuing basis or from time to time, as he deems advisable, but not less often than every two years, a review of the postal-rate structure and a study and survey of the expenses incurred and the revenues received in connection with the several classes of mail, and the various classes and kinds of services and facilities provided by the postal establishment, in order to determine, on the basis of such review, study, and survey for each class and kind of service or facility provided by the postal establishment, the need for adjustment of postal rates and fees in accordance with the policy set forth in this chapter.

(b) The Postmaster General shall submit to the Senate and the House of Representatives not later than April 15 of each alternate fiscal year, beginning with the fiscal year ending June 30, 1960, a report of the results of the review, study, and survey conducted pursuant to subsection (a) of this section. Such report shall include—

(1) information with respect to expenses and revenues which is pertinent to the allocation of expenses and the determination and adjustment of postal rates and fees in accordance with the policy set forth in this chapter; and

(2) such other information as is necessary to enable the Congress, or as may be required by the Congress or an appropriate committee thereof, to carry out the purposes of this chapter.

(Pub. L. 85-426, title I, § 105, May 27, 1958, 72 Stat. 137.)

§ 270d. Effect on fourth-class mail rates.

The provisions of this chapter shall not require any downward adjustment in rates of postage on fourth-class mail existing on May 27, 1958. (Pub. L. 85-426, title I, § 106, May 27, 1958, 72 Stat. 138.)

§ 270e. Contributions to civil service retirement and disability fund.

Hereafter the amounts contributed by the Post Office Department to the civil service retirement and disability fund in compliance with section 2254 (a) of Title 5 shall be considered as costs of providing postal service for the purpose of establishing postal rates. (Pub. L. 85-426, title II, § 214 (b), May 27, 1958, 72 Stat. 143.)

CODIFICATION

Section was not enacted as part of title I of Pub. L. 85-426, which comprises this chapter.

Section is from part of section 214 (b) of Pub. L. 85-426. Remainder of section 214 (b) amended section 2254 (a) of Title 5, Executive Departments and Government Officers and Employees.

EFFECTIVE DATE

Section 215 (f) of Pub. L. 85-426 provided that this section and the amendment to section 2254 (a) of Title 5, Executive Departments and Government Officers and Employees, should become effective as of the effective date of the Civil Service Retirement Act Amendments of 1956. The Civil Service Retirement Act Amendments of 1956 became effective on the first day of the first month which began more than 60 days after July 31, 1956. See note set out under section 2251 of Title 5.